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8 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

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10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 PHILLIP D. HURBACE,
14 LARRY ANTHONY McDANIEL, and
15 SYLVIANE DELLA WHITMORE,
A/K/A: "SYLVIANE CORDOVA,"
16 Defendants.

2:17-CR-110-APG-DJA
ORDER GRANTING
**Government's Unopposed Motion to
Extend the Time to File a Motion for a
Forfeiture Order**
(First Request)

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18 The United States of America respectfully moves this Court for an Order extending
19 the time for the government to file Fed. R. Crim. P. 32.2(b)(2)(B) Motions to Suggest
20 Revisions or Modifications about Sylviane Whitmore's preliminary order of forfeiture,
21 Phillip Hurbace's preliminary order of forfeiture, and to address other forfeiture issues
22 defendants have raised. Two defendants have discussed agreeing to stipulations to the order
23 of properties to be substituted and forfeited but have not done so for different reasons. One
24 reason is the Motion to Suggest Revisions or Modifications has yet to be filed.

25 Under Local Rule LCR 32-1(f), the current due date for a motion for a forfeiture
26 order is August 2, 2023. The government requests an extension of time to and including
27 August 16, 2023. This is the first request.

28 The grounds for extending the time are as follows.

1 On July 28, 2023, Lisa Rasmussen, counsel for Sylviane Whitmore, and Daniel
2 Hill, counsel for Larry McDaniel, agreed to this extension of time.

3 On July 29, 2023, Osvaldo Fumo, counsel for Phillip Hurbace, agreed to this
4 extension of time. Mr. Fumo has been in trial and continues this week in a trial.

5 The undersigned has many tightly scheduled deadlines for district court cases and
6 appellate cases with complex issues that have taken large amounts of time and resources to
7 complete. Undersigned has worked extremely hard and efficiently in trying to meet all the
8 deadlines but has not had time to address forfeiture for the sentencing hearing scheduled on
9 August 30, 2023, for all three defendants.

10 This motion is not submitted solely for the purpose of delay or for any other
11 improper purpose, and undersigned counsel expects to file the motion for a forfeiture order
12 within the additional time requested.

13 For the reasons stated, this Court should grant an extension of time to, and
14 including, August 16, 2023, for the government to file its forfeiture motions.

15 Dated: August 1, 2023.

16 Respectfully submitted,

17 JASON M. FRIERSON
18 United States Attorney

19 /s/ Daniel D. Hollingsworth
20 DANIEL D. HOLLINGSWORTH
21 Assistant United States Attorney

22 IT IS SO ORDERED:

23 
24 ANDREW P. GORDON
25 UNITED STATES DISTRICT JUDGE

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27 DATED: August 2, 2023
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